

REMARKS

Claims 1-37 are pending in the present application. Applicants file a terminal disclaimer as well as a request to correct inventorship along with this amendment.

In the Office Action mailed March 10, 2004, Examiner rejected claims 1, 3, 5-6, 8-10, and 12; 16 and 21; 26; and 33-35, under the judicially created doctrine of obviousness-type double patenting as being over claims 1, 19, 34, and 62 respectively of Walton et al. (U.S. Patent No. 6,493,331), hereinafter referred to as Walton. Further, claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Walton.

Applicants respectfully respond to this Office Action.

Claim Rejections – Double Patenting

Examiner rejected claims 1, 3, 5-6, 8-10, and 12; 16 and 21; 26; and 33-35, under the judicially created doctrine of obviousness-type double patenting over claims 1, 19, 34, and 62 respectively of Walton. Applicants concurrently file a terminal disclaimer with traversal in compliance with 37 CFR 1.321(c) to overcome the rejection based on a nonstatutory double patenting ground because the conflicting patent is commonly owned with this application. Applicants are filing a terminal disclaimer without prejudice solely in the interest of speed prosecution and prompt allowance of the present application for patent.

Claims 1, 3, 5-6, 8-10, and 12; 16 and 21; 26; and 33-35 are now in position for allowance.

Claim Rejections – 35 USC § 102

Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Walton.

Applicants file a request to correct inventorship pursuant to 37 CFR 1.48(a). Three inventors are added who were omitted without deceptive intent at the time of filing of the current application.

With the correction of inventorship, both the current application and Walton have the same inventorship. Therefore, Walton is not the patent of another, and does not constitute prior art under 35 U.S.C. 102(e).

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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